

S.I. 130 of 2020

ELECTIONS ACT

(Cap 262)

Elections (Amendment of Schedule 3) Regulations, 2020

In exercise of the powers conferred by section 99 of the Elections Act, the Electoral Commission hereby makes the following regulations —

1. These regulations may be cited as the Elections (Amendment of Schedule 3) Regulations, 2020.

Short title

2. Schedule 3 to the Elections Act is hereby amended as follows —

Amendment of
Schedule 3
of Cap 262

(a) in Chapter I, —

(i) in paragraph 1, by inserting after the words “Registration Centre”, the words “including mobile centres”;

(ii) by inserting after paragraph 11A, the following paragraph —

“**11A.** The list of application for registration as voter or transfer from one electoral area to another electoral area or objections published under paragraph 11 shall be made available to the registered political parties.”;

(iii) in paragraph 19, by repealing the words “without demographic data of persons”;

(iv) in paragraph 20, —

(I) by repealing the words “excluding biographic data”;

- (II) in subparagraph (a), by repealing the words “National Library” and substituting therefor the words “National Archives”;
- (b) by inserting after Chapter 1, the following Chapter —

**“CHAPTER IA
VOTERS CENSUS**

21A. Where a voters' census is held the particulars of all registered voters found, during the census shall be compiled into a database for a new register of voters for each electoral area.

21B. On the completion of the database for the register of voters for each electoral area, the data shall be compared to the last certified registers of voters.

21C. An electronic list of voter compared under paragraph 21B, containing the name of the voter, National Identity number, date of birth of the registered voter shall be published for each electoral area (hereafter in this Chapter referred to as the “electronic list”).

21D. The electronic list published under paragraph 21C shall be made available to all registered political parties and also be made available in all registration offices, district administration offices and National Archives.

21E. Where registered voters are not found during the voters' census, but are flagged against the last certified registers of voters, a

list of these voters shall be compiled and printed showing their names, National Identity number, date of birth, page and line number on the last certified registers of voters for each register of voters of each electoral area.

21F. An electronic list of all such voters prepared under paragraph 21E shall be —

- (a) published in all registration offices, all district administration offices and National Archives;
- (b) made available to all registered political parties;
- (c) published in all local newspapers and placed on the Electoral Commission's website; and
- (d) citizens shall be informed about the lists through state radio and television.

21G. All voters who were not found during the voters census but whose names are published in the media shall be given a period of six months to inspect the list published under paragraph 21F.

21H. If a request from a voter is received for inclusion of his or her name in list of voters, his or her name shall be included in the list for respective electoral areas.

21I. In case there is schedule a Presidential election or the National Assembly elections or a referendum during the period of six months referred to in paragraph 21G, the

published list remains to be expired and the certified registers of voters for the said election or referendum shall be based on the existing certified registers of voters as certified under section 9 (1) (a) and (b).

21J. On expiry of the period of six months, any voter not found during the voters' census and where a claim for inclusion has not been made, the names of such voters shall be removed from the registers of voters and a new certified register of voters for each electoral area shall be prepared using the voters' census information for each electoral area, and the registers of voters shall be certified at the next certification as required under section 9 (1) (a) and (b).

21K. Notwithstanding paragraph 21J, any voter whose name has been removed, during the voters' census, from the registers of voters, a list comprising the particulars of all such voters shall be published in the manner provided in paragraph 21F.

21L. Any voter so removed, may apply for reinstatement on the registers of voters at a registration centre or the office of Electoral Commission by producing his or her National Identity Card issued under the National Identity Act and the name of the voter shall be reinstated on the next certification of the registers of voters.”;

- (c) in Chapter II, in paragraph 27, by repealing the words “shall make available”, and substituting therefor the words “shall, during the nomination period, make available”;

- (d) in Chapter III, by inserting after paragraph 37, the following subparagraph —

“**37A.** The Chief Electoral Officer or, as the case may be, the Electoral Officer shall, upon completion of ballot account papers to reconcile the number of ballot papers received, used and unused, and before the opening of the sealed ballot boxes, invite the candidates, polling agents and observers to sign the ballot account statement.”;

- (e) in Chapter IV, by inserting after paragraph 44, the following subparagraph —

“**45.** The Electoral Officer or, as the case may be, the Designated Electoral Officer shall, after transmitting the statement of results to the Electoral Commission, announce the statement of the result of that polling station in public and affix a copy of such statement at the exterior door of the place of counting.”.

MADE this 4th day of September, 2020.

**MR. DANNY LUCAS
CHAIRPERSON OF THE ELECTORAL
COMMISSION**
